

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

WILLIAM RILEY,

Plaintiff,

v.

Case No. 06-11107

AMERICAN EQUITY MORTGAGE,

Honorable Patrick J. Duggan

Defendant.

ORDER REQUIRING FILING OF AMENDED COMPLAINT

At a session of said Court, held in the U.S.
District Courthouse, Eastern District
of Michigan on March 30, 2006.

PRESENT: THE HONORABLE PATRICK J. DUGGAN
U.S. DISTRICT COURT JUDGE

On March 15, 2006, *pro se* Plaintiff William Riley filed two separate complaints in this Court. The first complaint is against Defendant American Equity Mortgage, Case No. 06-11107, and the second complaint is against Defendant Wilshire Credit Corp., Case No. 06-11117. The complaints contain identical language and appear to arise from the same transaction in which, Plaintiff alleges that Defendants acted fraudulently. Plaintiff's complaints fail to meet the requirements of Federal Rule of Civil Procedure 8(a).

Rule 8(a) requires that a complaint set forth a short and plain statement of the grounds upon which the court's jurisdiction depends, a short and plain statement of the claim showing that the pleader is entitled to relief, and a demand for judgment for the

relief sought. The complaint must give the defendant “fair notice of what the plaintiff’s claim is and the grounds upon which it rests.” *Conley v. Gibson*, 355 U.S. 41, 47, 78 S. Ct. 99, 103 (1957).

Even though a *pro se* plaintiff is held to a less stringent pleading standard than a party who is represented by counsel, *Haines v. Kerner*, 404 U.S. 519, 520, 92 S. Ct. 594, 595 (1972), the complaint must meet some minimum standards. *Id.* at 521, 92 S. Ct. at 596. The Court is not required to “guess at the nature of the claim asserted.” *Wells v. Brown*, 891 F.2d 591, 594 (1989).

Plaintiff’s complaints fail to set forth the basis for this Court’s subject matter jurisdiction. In fact, Plaintiff fails to cite to any federal statute or laws upon which he bases his claims against Defendants and a coherent factual basis for such claims.

Accordingly,

IT IS ORDERED that Plaintiff file an Amended Complaint that sets forth a basis for this Court’s jurisdiction, a cause of action, and facts in support of such cause of action in compliance with Federal Rule of Civil Procedure 8(a) within twenty (20) days of this Order, **OR THE COURT SHALL DISMISS THE COMPLAINT** for lack of jurisdiction or failure to state a claim upon which relief can be granted pursuant to Federal Rule of Civil Procedure 12(b)(6).

s/PATRICK J. DUGGAN
UNITED STATES DISTRICT JUDGE

Copies to:
William Riley
25428 Woodvilla Place
Southfield MI 48075

